

FILED
Clerk
District Court

AUG 13 2007

For The Northern Mariana Islands
By _____
(Deputy Clerk)

1 **TAITANO_C.gar3a**

2 **LEONARDO M. RAPADAS**

3 **United States Attorney**

4 **MARIVIC P. DAVID**

5 **Assistant U.S. Attorney**

6 **Sirena Plaza, Suite 500**

7 **108 Hernan Cortez Avenue**

8 **Hagåtña, Guam 96910**

9 **TEL: (671) 472-7332**

10 **FAX: (671) 472-7215**

11 **Attorney's for United States of America**

12 **IN THE UNITED STATES DISTRICT COURT**
13 **FOR THE NORTHERN MARIAN ISLANDS**

14 **UNITED STATES OF AMERICA,**

15 **Plaintiff,**

16 **vs.**

17 **CRISPIN ATALIG TAITANO,**

18 **Defendant,**

19 **NORTHERN MARIANA ISLANDS**
20 **RETIREMENT FUND (NMIRF),**

21 **Garnishee.**

CRIMINAL CASE NO. 04-00017

WRIT OF CONTINUING
GARNISHMENT; INSTRUCTIONS
TO THE GARNISHEE

22 **WRIT OF CONTINUING GARNISHMENT**

23 **GREETINGS TO: Northern Mariana Islands Retirement Fund (NMIRF)**
24 **1st Floor Retirement Building, Isa Drive**
25 **P.O. Box 501247**
26 **Saipan, MP 96950**

27 **An application for a Writ of Continuing Garnishment against the property of Defendant-**
28 **Judgment Debtor CRISPIN ATALIG TAITANO, Social Security Number XXX-XX-9939,**
whose last known address is: #00462-005, FCI, P.O. Box XXXX, Safford, AZ 85548.
(hereinafter "Debtor"), has been filed with this Court. A judgment in a criminal case was filed

1 against the Debtor on September 6, 2005 and the amount due totals \$73,174.09, as of August 9,
2 2007 (\$62,815.81 incarceration costs + \$10,358.28 supervision costs).

3 You are required by law to answer in writing, under oath, and within ten (10), after
4 receipt of this writ, the following information: (1) Whether or not you have in your custody,
5 control or possession, any property or money owned by the Debtor, including nonexempt,
6 disposable earnings; (2) A description of such property and the value of the property; (3) A
7 description of any previous garnishment to which such property is subject and the extent to
8 which any remaining property is not exempt; and (4) The amount of the debt you anticipate
9 owing to the Debtor in the future and whether the period for payment will be weekly or another
10 specified period.

11 **You are also required by law to withhold and retain any property in which the**
12 **Debtor has a substantial nonexempt interest for which you are or may become indebted to**
13 **the Debtor pending further order of the Court.**

14 You must file the original written answer to this writ within ten (10) days of your receipt
15 of this writ with the United States District Clerk at: U.S. District Court for the Northern Mariana
16 Islands, 2nd Floor, Horiguchi Building, Garapan, P.O. Box 500687, Saipan, MP 96950. YOU
17 MUST ANSWER THE WRIT EVEN IF YOU DO NOT HAVE IN YOUR CUSTODY,
18 CONTROL OR POSSESSION ANY PROPERTY OF THE DEFENDANT. Additionally, you
19 are required by law to serve a copy of this answer upon the debtor at: #00462-005, FCI, P.O.
20 Box XXXX, Safford, AZ 85548 and upon the United States Attorney at: U.S. Attorney's Office,
21 Attn.: Marivic P. David, Assistant U.S. Attorney, Sirena Plaza, Suite 500, 108 Hernan Cortez
22 Avenue, Hagåtña, Guam 96910.

23 Under the law, there is property which is exempt from this writ of Garnishment. Property
24 which is exempt and which is not subject to this order is listed on the attached Claim for
25 Exemption form.

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1 If you fail to answer this writ or withhold property in accordance with this writ, the
2 United States of America may petition the Court for an order requiring you to appear before the
3 Court to answer the writ and to so withhold the property before the appearance date. If you fail
4 to appear or do appear and fail to show good cause why you failed to comply with this writ, the
5 Court may enter a judgment against you for the value of the Debtor's non-exempt interest in such
6 property (including nonexempt disposable earnings). The Court may also award a reasonable
7 attorney's fee to the United States and against you if the writ is not answered within the time
8 specified herein and if the United States files a petition requiring you to appear. It is unlawful to
9 pay or deliver to the Debtor any item attached by this writ.

10 DATED August 13, 2007, Saipan, MP.
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13 *For* *Francis Benavides, Chief Deputy Clerk*
14 GALO L. PEREZ
15 Clerk of Court
16 District Court for the Northern
17 Mariana Islands
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1 TO: Northern Mariana Islands Retirement Fund (NMIRF)
2 1st Floor Retirement Building, Isa Drive
3 P.O. Box 501247
4 Saipan, MP 96950

5 Please read the following instructions regarding the steps you must take to comply with
6 this Writ. For additional information, you may want to contact your attorney or the attorney for
7 the United States identified in Paragraph 5.

8 **INSTRUCTIONS TO THE GARNISHEE**

9 1. The name, last known address and Social Security Number of the person who is
10 the defendant in this action and whose property is subject to this Writ is:

11 CRISPIN ATALIG TAITANO
12 #00462-005
13 FCI
14 P.O. Box XXXX
Safford, AZ 85548
SSN XXX-XX-9939

15 2. This Writ has been issued at the request of the United States of America to
16 enforce the collection of a criminal judgment entered in favor of the United States against the
17 defendant. The amount of the judgment as of August 9, 2007 is \$73,174.09.

18 3. If you have in your custody, control or possession any property or money of the
19 defendant, including wages, salary or commissions, or if you obtain custody, control or
20 possession of such property while this Writ is in effect, you must immediately withhold the
21 property from the defendant and retain it in your possession until you receive instructions from
22 the Court which will tell you what to do with the property and which will notify you when this
23 Writ is no longer in effect. The United States requests that the sum of 25% of the defendant's
24 monthly non-exempt disposable earnings be withheld from the defendant's earnings.

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1 4. You are required to answer this Writ within 10 days after the service of the Writ
2 upon you. YOU MUST ANSWER THE WRIT EVEN IF YOU DO NOT HAVE IN YOUR
3 CUSTODY, CONTROL OR POSSESSION ANY PROPERTY OF THE DEFENDANT. Your
4 Answer must state, under oath, the following information:

- 5 a. whether you have custody, control or possession of
6 money or earnings of the defendant;
7 b. a description of the money or earnings and amount;
8 c. a description of any other garnishments, suggestions
9 or levies to which the earnings are subject and the
10 extent to which any remaining earnings are exempt
11 from garnishment, suggestion or levy;
12 d. the amount of any earnings you anticipate owing
13 the defendant in the future and the date on which
14 payment will be made; and
15 e. a description of any earnings you anticipate will
16 come into your custody, control or possession and
17 the dates on which such custody, control, or
18 possession will occur.

19 5. After you complete the answer under oath, you must mail or deliver an answer
20 bearing the **original** signature plus one copy of the person preparing the answer to:

21 U.S. District Court for the Northern Mariana Islands
22 2nd Floor, Horiguchi Building
23 Garapan
24 P.O. Box 500687
25 Saipan, MP 96950

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1 At the same time you mail or deliver the answer to the Clerk, you must also mail or
2 deliver copies of the answer to:

3 Marivic P. David
4 Assistant U.S. Attorney
5 U.S. Attorney' Office
6 Districts of Guam and the NMI
7 Attn: Financial Litigation Unit
8 Sirena Plaza, Suite 500
9 108 Hernan Cortez Avenue
10 Hagåtña, Guam 96910

8 CRISPIN ATALIG TAITANO
9 #00462-005
10 FCI
11 P.O. Box XXXX
12 Safford, AZ 85548

11 6. If you have any questions, you should contact your attorney. You may also
12 contact a representative of the United States at the following address and telephone number:

13 Marie Chenery
14 Financial Litigation Unit
15 Sirena Plaza, Suite 500
16 108 Hernan Cortez Avenue
17 Hagåtña, Guam 96910
18 TEL: (671) 472-7332, ext 122
19 FAX: (671) 472-7215

17 7. IF YOU FAIL TO ANSWER THIS WRIT OR TO WITHHOLD PROPERTY IN
18 ACCORDANCE WITH THE WRIT, THE UNITED STATES MAY PETITION THE COURT
19 FOR AN ORDER REQUIRING YOU TO APPEAR BEFORE THE COURT TO ANSWER
20 THIS WRIT AND TO SO WITHHOLD PROPERTY BEFORE THE APPEARANCE DATE.

21 IF YOU FAIL TO APPEAR, OR YOU APPEAR AND FAIL TO SHOW GOOD
22 CAUSE WHY YOU FAILED TO COMPLY WITH THIS WRIT, THE COURT WILL ENTER
23 JUDGMENT AGAINST YOU FOR THE VALUE OF THE DEBTORS'S NONEXEMPT
24 INTEREST IN SUCH PROPERTY (INCLUDING NONEXEMPT DISPOSABLE EARNINGS).

25 THE COURT MAY ALSO AWARD A REASONABLE ATTORNEY'S FEE TO
26 THE UNITED STATES AND AGAINST YOU IF THE WRIT IS NOT ANSWERED WITHIN
27 THE TIME SPECIFIED HEREIN AND IF THE UNITED STATE FILES A PETITION
28 REQUIRING YOU TO APPEAR.